

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

ABDIEL F. AVILA,	:	
	:	Civil Action No. 07-3387 (NLH)
Petitioner,	:	
	:	
v.	:	ORDER
	:	(CLOSED)
STATE OF NEW JERSEY,	:	
	:	
Respondent.	:	

For the reasons set forth in the Court's Opinion filed herewith,

It is on this 6th day of September, 2007

ORDERED that the application for a writ of habeas corpus, construed as a petition for habeas relief under 28 U.S.C. § 2241(C)(3), is dismissed without prejudice for non-exhaustion of state court remedies; and it is further

ORDERED that no certificate of appealability will issue; and it is finally

ORDERED that the Clerk of the Court shall close this file accordingly.

s/Noel L. Hillman
NOEL L. HILLMAN
United States District Judge

At Camden, New Jersey